

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RONALD E. SCHAEFER,

Plaintiff,

vs.

CBS COLLECTIONS, INC.,

Defendant.

No. CV-11-0459-JLQ

ORDER DENYING AS MOOT
MOTION TO DISMISS

BEFORE THE COURT is *pro se* Plaintiff Ronald Schaefer's Motion to Dismiss Defendant's Counterclaim (ECF No. 13). Defendant has voluntarily dismissed its Counterclaim without prejudice (ECF No. 31). Accordingly,

IT IS HEREBY ORDERED:

1. Plaintiff's Motion to Dismiss Defendant's Counterclaim (ECF No. 13) is **DENIED AS MOOT.**

2. Defendant's Counterclaim is dismissed without prejudice. Dismissal of the Counterclaim does not preclude Defendant from later pursuing a motion for attorney fees under 15 U.S.C. § 1681o or 15 U.S.C. § 1692k. The court makes no judgment as to the merits of such a motion.

IT IS SO ORDERED. The Clerk is hereby directed to enter this Order and furnish copies to counsel and to Mr. Schaefer.

DATED this 29th day of March, 2012.

s/ Justin L. Quackenbush
JUSTIN L. QUACKENBUSH
SENIOR UNITED STATES DISTRICT JUDGE